

sary furniture therefore, to appoint a librarian, to make all purchases of books for said library, and from time to time to exchange or cause to be repaired the damaged books belonging thereto. They may also sell any books they may deem useless or of an improper character, and apply the proceeds to the purchase of other books.

Shall publish report.

SECTION 23. It shall be the duty of the said board, in the month of July of each year, to publish in the official paper of said city, if there be such, a full report of their doings for the preceding year.

Shall be subject to rules of state superintendent.

SECTION 24. The said board shall be subject to the rules and regulations which have been or may be made by the state superintendent of public instruction, so far as the same may be applicable to them and not inconsistent with the provisions of this act.

Exempt from jurisdiction.

SECTION 25. The territory embraced within the city limits is hereby declared to be and is independent of the jurisdiction of the county superintendent of schools of Winnebago county, and exempt from all taxation for his support and salary.

Repealed.

SECTION 26. All acts or parts of acts contravening the provisions of this act, are hereby repealed.

SECTION 27. This act shall take effect and be force from and after its passage and publication.

Approved February 24, 1875.

CHAPTER 53.

[Published March 1, 1875.]

AN ACT to re-enact section nine (9) of chapter one hundred and twenty-three (123) of the Revised Statutes, entitled, "Of the place of trial in civil actions," and to amend said section nine (9), and to prevent abuses in changing of venue.

The people of the state of Wisconsin, represented in Senate and Assembly, do enact as follows:

Re-enacted.

SECTION 1. Section nine (9,) of chapter one hundred and twenty-three (123,) of the Revised Statutes, entitled, "Of the place of trial," is hereby re-enacted and is amended to be and read as follows: "When the place of trial is changed as provided in this chapter, (to-wit: said chapter one hundred and twenty-three (123,) of the Revised Statutes) it shall be changed to some county where the causes complained of do not

Of change of venue.

exist; and no more than one change of the place of trial under section eight (8) of this chapter (to wit: said chapter one hundred and twenty-three (123) of the Revised Statutes), shall be awarded to the same party in any action, unless by stipulation between the parties.

SECTION 2. No application for a change of place of trial shall be granted in any case after one continuance has been had by the party applying for the same, unless it shall appear to the court that the cause therefor has been discovered or developed after such continuance. When to be granted.

SECTION 3. Whenever in any civil action a party shall apply for a change of the place of trial under the provisions of section eight (8) of chapter one hundred and twenty-three (123) of the Revised Statutes, at any term of court for which such action is noticed for trial, no order shall be made for such change of place of trial, unless the party applying therefor shall first pay to the opposite party the costs and disbursements incurred by him for such term and such attorney's fees not exceeding twenty-five dollars, as the court shall order, unless the party moving for such change shall have served upon the opposite party, at least ten days before the term, notice thereof, and a copy of the affidavit or petition upon which the same is based, and file his motion for change and the affidavit or petition upon which the same is based, on or before the first day of the term. Costs to be first paid.

SECTION 4. All acts or parts of acts conflicting with any of the provision of this act, are hereby repealed so far as they conflict or contravene any of the provisions of this act; *provided*, nothing contained in this act shall affect any motion noticed for hearing and now pending for a change of venue under the statute as it existed prior to the passage of this act. Repealed.

SECTION 5. This act shall take effect and be in full force from and after its passage.

Approved February 24, 1875.